IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2762 of 1993

For Approval and Signature:

HONOURABLE MR.JUSTICE P.B.MAJMUDAR

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

HEMALBEN M VYAS AND ANOTHER
Versus
STATE OF GUJARAT AND OTHERS

==========

Appearance :
MR HJ NANAVATI for Petitioners.
MS FALGUNI PATEL, AGP for Respondents No. 1 - 2.
NOTICE SERVED for Respondent No.3.

==========

CORAM : HONOURABLE MR.JUSTICE P.B.MAJMUDAR

Date : 12/10/2006

ORAL JUDGMENT

By filing this petition, the petitioners have prayed that appropriate direction may be given to the respondents to continue them as full-time

lecturers on their respective posts and that their services may not be terminated.

The petitioners were appointed as ad-hoc lecturers in Government College on ad-hoc and temporary basis. Petitioner no.1 was appointed as Lecturer in Hindi while petitioner no.2 was appointed as lecturer in Physics. Since the petitioners were appointed on ad-hoc or temporary basis, they have has filed present petition praying that their services may be regularized.

In response to the petition, affidavit-in-reply has been filed by Senior Superintendent, Office of the Commissioner Higher Education, Gandhinagar. In paragraph 5 of the affidavit, it is stated that both the petitioners have been selected through GPSC. Therefore, there is no question of terminating their services now. It is submitted by learned AGP that in view of their selection through GPSC, now petitioners are serving on regular post in their respective subjects and no direction is required to be issued in the present petition.

Considering the aforesaid aspect of the matter, no further direction is required to be issued in the present petition as the petitioners are already appointed through GPSC, however, it will be open to the petitioners to make appropriate representation to get the benefit of their past services. If any such representation is made, the authority may decide the same in accordance with law.

Accordingly, this petition is disposed of. Rule is discharged with no order as to costs.

(P.B.Majmudar, J.)

/malek